

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

KENNO SOLESBY-FUNMAKER,

Plaintiff,

v.

SANDRA HAUTAMAKI and DAVID
TARR,

Defendants.

Case No. 18-CV-1205-JPS

ORDER

On August 3, 2018, Plaintiff Kenno Solesby-Funmaker filed a complaint against Defendants alleging violations of his First Amendment rights. (Docket #1). On September 5, 2018, the Court issued a screening order allowing the claims to proceed against the above-captioned defendants and ordering responsive pleadings within 60 days of the order. (Docket #5). On November 8, 2018, the Court entered a scheduling order. (Docket #10). This case now comes before the Court on two motions filed by Plaintiff.

On November 13, 2018, Plaintiff filed a motion for default judgment that was drafted on November 6, 2018. (Docket #11). However, because Defendants submitted an answer on November 5, 2018 (Docket #6), which is within 60 days of the screening order, Plaintiff's motion for default judgment must be denied. The case will proceed on the schedule stated in the Court's scheduling order. (Docket #10).

On November 26, 2018, Plaintiff filed a motion for production, which requests various categories of documents from each defendant. (Docket #12). The Court's scheduling order instructs Plaintiff to serve these requests

on Defendants, which can be done by mail. (Docket #10 at 2). "Simply filing discovery requests with the Court either electronically or by mail, will not qualify as service of these requests pursuant to the Federal Rules of Civil Procedure." *Id.*, see also Fed. R. Civ. P. 34(a) (requiring parties to serve production requests on each other).

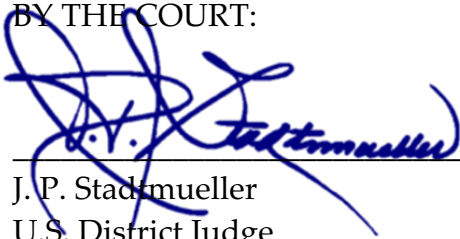
Accordingly,

IT IS ORDERED that Plaintiff's motion for default judgment (Docket #11) be and the same is hereby **DENIED**; and

IT IS FURTHER ORDERED that Plaintiff's motion for production (Docket #12) be and the same is hereby **DENIED**.

Dated at Milwaukee, Wisconsin, this 4th day of December, 2018.

BY THE COURT:



J. P. Stadtmueller
U.S. District Judge